

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re

Case No. 16-42610-cec
Chapter 11

BRIGID GIAMBRONE

Debtor.

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**ORDER AMENDING THE COURT’S PRIOR ORDER GRANTING MCCORMICK 105,
LLC RELIEF FROM THE AUTOMATIC STAY, NUNC PRO TUNC**

WHEREAS, on June 14, 2016, Brigid Giambrone (the “Debtor”) filed a voluntary petition under chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”)(Dkt No.: 1); and

WHEREAS, on August 4, 2017, this Court entered an order granting McCormick 105, LLC relief from the automatic stay pursuant to section 362(d)(2) of the Bankruptcy Code with respect to the property located at 18 Belfield Avenue, Staten Island, New York 10312 (the “Property”) and thereby terminated said automatic stay with respect to McCormick and permitting McCormick to exercise its rights under applicable state law with respect to the Property (Dkt No.: 192); and

WHEREAS, on July 6, 2018, McCormick filed a motion pursuant to section 105 of the Bankruptcy Code seeking to amend this Court’s order granting relief from the automatic stay entered August 4, 2017 so as to provide, *nunc pro tunc*, relief from the automatic stay (Dkt No.: 247); and

WHEREAS, on September 12, 2018, a hearing (the “hearing”) was held during which the Court heard oral arguments of the attorney for McCormick as well as the attorney for the Debtor and made a Decision on the record:

NOW, THEREFORE, it is hereby

ORDERED, that, for the reasons set forth on the record at the hearing and upon this Court’s Decision, the relief requested by McCormick is granted; and it is further

ORDERED, that this Court’s prior order entered August 4, 2017 granting McCormick 105, LLC relief from the automatic stay pursuant to section 362(d)(2) of the Bankruptcy Code is hereby amended to grant such relief, *nunc pro tunc*.

**Dated: Brooklyn, New York
September 24, 2018**




Carla E. Craig
United States Bankruptcy Judge